

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	Group Art Unit: 3727
)	
Carl Cheung Tung Kong)	Examiner: Sue A. Weaver
)	
Serial No. 10/645,648)	
)	
Filed: August 20, 2003)	Docket No.: KONG-44438
)	
For: BABY FEEDING BOTTLE WITH)	
DRAW TUBE)	
_____)	

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Madam:

In response to an Office Action dated February 24, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1. (Previously presented) A baby feeding bottle, comprising:
a dispenser body having an upper opening and a hollow interior;
a flexible fluid container supported by the dispenser body within the interior of the dispenser body; and
an elongated flow tube at least partially connected to an interior sidewall of the fluid container, the flow tube having a first end disposed adjacent to the upper opening of the dispenser body, and a second end disposed within the flexible fluid container;
wherein the flow tube facilitates passage of fluid within the fluid container and to the upper opening of the dispenser body.
2. (Previously presented) The baby feeding bottle of claim 1, wherein the flow tube includes a plurality of apertures along the flow tube through a sidewall thereof.
3. (Original) The baby feeding bottle of claim 1, including a casing which engages the dispenser body to enclose the flexible fluid container.
4. (Original) The baby feeding bottle of claim 1, wherein the flow tube and fluid container are approximately the same length.
5. (Original) The baby feeding bottle of claim 1, wherein the dispenser body includes a mouthpiece in fluid flow communication with fluid contained within the flexible fluid container.
6. (Cancelled)
7. (Cancelled)

8. (Amended) The baby feeding bottle of claim 1, wherein the flow tube extends ~~centrally~~ through the dispenser body and the fluid container at least partially towards central portions of the dispenser body and the fluid container.

9. (Previously presented) The baby feeding bottle of claim 8, wherein the flow tube includes a plurality of apertures along the flow tube through a sidewall thereof.

10. (Amended) The baby feeding bottle of claim ~~8~~ 1, including a substantially planar cap plate disposed adjacent to the upper opening, the cap plate supporting the flow tube and including an aperture in fluid flow communication with the flow tube.

11. (Previously presented) The baby feeding bottle of claim 10, wherein the flow tube includes a plurality of apertures along the flow tube through a sidewall thereof.

12. (Amended) The baby feeding bottle of claim ~~8~~ 1, wherein a second end of the flow tube includes a spacer.

13. (Previously presented) A baby feeding bottle, comprising:
a dispenser body having an upper opening and a hollow interior;
a flexible fluid container supported by the dispenser body within the interior of the dispenser body; and
an elongated flow tube connected to an interior sidewall of the fluid container, the flow tube having a first end disposed adjacent to the upper opening of the dispenser body, and a second end disposed within the flexible fluid container;
wherein the flow tube facilitates passage of fluid within the fluid container and to the upper opening of the dispenser body and includes a plurality of apertures along the flow tube through a sidewall thereof, wherein the flow tube and fluid container are approximately the same length.

14. (Original) The baby feeding bottle of claim 13, wherein the dispenser body includes a mouthpiece in fluid flow communication with fluid contained within the flexible fluid container.

15. (Original) The baby feeding bottle of claim 14, including a casing which engages the dispenser body to enclose the flexible fluid container.

16. (Amended) A baby feeding bottle, comprising:

a dispenser body having an upper opening and a hollow interior;

a flexible fluid container supported by the dispenser body within the interior of the dispenser body; and

an elongated flow tube at least partially connected to an interior sidewall of the fluid container, the flow tube extending centrally through the dispenser body and the fluid container at least partially towards central portions of the dispenser body and the fluid container, the flow tube having first end disposed adjacent to the upper opening of the dispenser body and a second end disposed within the flexible fluid container;

wherein the flow tube facilitates passage of fluid within the fluid container and to the upper opening of the dispenser body and includes a plurality of apertures along the flow tube through a sidewall thereof, and wherein the flow tube and fluid container are approximately the same length.

17. (Original) The baby feeding bottle of claim 16, wherein the dispenser body includes a mouthpiece in fluid flow communication with fluid contained within the flexible fluid container.

18. (Amended) The baby feeding bottle of claim 17, including a casing which engages the dispenser body to enclose the flexible fluid container, ~~wherein the flow tube and fluid container are approximately the same length.~~

19. (Original) The baby feeding bottle of claim 17, including a substantially planar cap plate disposed adjacent to the upper opening, the cap plate supporting the flow tube and including an aperture in fluid flow communication with the flow tube.

20. (Original) The baby feeding bottle of claim 19, wherein a second end of the flow tube includes a spacer.

REMARKS/ARGUMENTS

This application has been carefully reviewed in view of the Office Action dated February 24, 2006. Claims 1-5, 8-20 are pending. The Office Action stated claims 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 1 has been amended to incorporate the subject matter of claim 6. Claim 7 was cancelled as being redundant to claim 2 in view of amended claim 1. The Office Action indicated that claims 13-15 are allowed. Claim 16 has been amended to incorporate the subject matter of claim 6.

As a matter of record, Zohe '441 does not include a flow tube. Kock et al. '875 is not properly combinable with Kong and/or Cueto as Kock is non-analogous art. Kock is not in the same field of endeavor as Kong and/or Cueto. Kock is directed towards solving a different problem in a different way than those problems addressed in Kong and/or Cueto. With respect to claims 12 and 20, the Office Actions fails to identify where a 'spacer' on the end of the flow tube is allegedly disclosed in Sheu. Sheu provides little or no detail in explaining the automatic straw 5 or any feature of straw 5 shown in Figure 4 of Sheu.

CONCLUSION

A Notice of Allowance is respectfully requested in view of the arguments and amendments outlined above.

Respectfully submitted,

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